

REMARKS/ARGUMENTS

- Amendments -

Applicant respectfully requests that the pending claims be amended as indicated in the accompanying amended page(s), in which:

- Claim 5 is amended.

By these amendments, claims 2, 4, and 5 remain pending. Applicant submits that no new matter has been added by these amendments.

- Remarks -

Applicant thanks the Examiner for her further consideration and remarks on the application. The following amendments and remarks are submitted in response to the instant Office Action. Applicant imposes on the Examiner for her further consideration of the application in light of the following submissions.

35 USC §112

Independent claim 5 is firstly rejected under §112, second paragraph, for allegedly reciting non-structural limitations when the claim is directed to an apparatus.

Claim 5 is amended to recite that the pagewidth printhead and the printing fluid storage are mounted to the body such that user removal and replacement of the body simultaneously removes and replaces the printing fluid storage, the pagewidth printhead, and the fluid connection.

Applicant respectfully submits that this amendment casts the subject matter, alleged to be non-structural, explicitly into a structural recitation.

Claim 5 is further rejected under §112, second paragraph, for being unclear as to which stage the product is being claimed. Applicant respectfully disagrees, and submits that claim

5 is clearly directed to a printer cartridge that is in its final and complete stage, and does not recite limitations that are for an intermediate product.

Claim 5 is directed to a printer cartridge that is configured to be insertable and removable from an inkjet printer. The printer cartridge comprises the elements as recited, all of which are present on the printer cartridge in the final form of the printer cartridge. The Examiner's assistance is respectfully requested in identifying which elements recited in claim 5 are considered by the Examiner as being limitations for an intermediate product only.

35 USC §103(a)

Independent claim 5 remains rejected under §103(a) over the combination of Silverbrook (US 6,443,555) in view of Torgerson (US 6,722,759). Applicant believes that this rejection should be withdrawn in light of the Notice of Panel Decision from Pre-Appeal Brief, dated 9 September 2008.

Applicant notes in particular that the §103(a) rejection of the instant Office Action appears to be substantially identical to that provided in the Office Action of 20 February 2008. The rejection does not appear to rely on new references, nor on a new interpretation of the currently cited references. The instant Office Action also does not appear to provide additional remarks that answer or rebut the material traversed by the Applicant in his response to the 20 February 2008 Office Action, and in his pre-appeal brief submission.

For the above reason, Applicant believes that the §103(a) rejection of the instant Office Action should be withdrawn, and notes technically that the rejection has in fact already been withdrawn by the Panel Decision.

For the Examiner's convenience, Applicant summarizes the relevant arguments presented in his above submissions:

- Applicant submitted that the citations do not teach all the elements of independent claim 5. Claim 5 is limited to a printer cartridge that has a body configured such that user removal and replacement of the body **simultaneously** removes and replaces the printing fluid storage, the pagewidth printhead and the fluid connection. Silverbrook, as construed by the Examiner, fails to disclose a body configured such that user

removal and replacement thereof simultaneously removes and replaces the printing fluid storage, the pagewidth printhead and the fluid connection.

- Applicant further submitted that Torgerson fails to disclose the feature of the first and second print chips having a combined length at least equal to the length of the pagewidth printhead.

Applicant maintains that claim 5, and the claims dependent therefrom, are novel and inventive over the cited combination for the above reasons.

Other Amendments

Claim 5 is further amended to state that the user is an end user, as distinct from a manufacturer.

Reconsideration of the application in light of the above amendments and remarks is respectfully requested. Applicant looks forward to word of further official communication in due course.

Very respectfully,

Applicant/s:



Kia Silverbrook

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: kia.silverbrook@silverbrookresearch.com

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762